

Applicant or Patentee: Crystal et al.  
Application or Patent No.  
Filed or Issued: July 31, 2000  
For: METHOD OF ENHANCING BONE DENSITY

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(f) & 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Cornell Research Foundation, Inc.\*  
Address of Organization: 20 Thornwood Drive, Suite 105  
Ithaca, New York 14850

**Type of Nonprofit Organization:**

- ☒ University or other institution of higher education.  
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)).  
☐ Nonprofit scientific or educational organization under statute of state of the United States of America:  
Name of State: \_\_\_\_\_  
Citation of Statute: \_\_\_\_\_  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America.  
☐ Would qualify as nonprofit scientific or educational organization under statute of state of the United States of America if located in the United States of America.  
Name of State: \_\_\_\_\_  
Citation of Statute: \_\_\_\_\_

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled METHOD OF ENHANCING BONE DENSITY, by the inventors Ronald G. Crystal, Chisa Hidaka, Oheneba Boachie-Adjei, Bernard A. Rawlins, and Imre Kovesdi, as described in:

- ☒ The specification filed herewith.  
☐ Application No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

\*Cornell Research Foundation, Inc., is a Corporation which is wholly owned by Cornell University handling Patents and Licensing.

**Others Having Rights In The Invention**

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e). (NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to his/her/its status as a small entity.)

Name: The Hospital for Special Surgery  
Address: 535 East 70<sup>th</sup> Street  
New York, New York 10021

☐ Individual ☐ Small Business Concern ☒ Nonprofit Organization


Name: GenVec, Inc.  
Address: 65 West Watkins Mill Road  
Gaithersburg, Maryland 20878

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: James A. Severson  
Title in Organization: President  
Address of Person Signing: 20 Thornwood Drive, Suite 105  
Ithaca, New York 14850

  
Signature

July 31, 2000  
Date

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Name of Organization: The Hospital for Special Surgery  
Address of Organization: 535 East 70<sup>th</sup> Street  
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**Type of Nonprofit Organization:**

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☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America.  
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- ☒ The specification filed herewith.  
☐ Application No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

In re Application of Crystal et al.  
Attorney Docket No. 205965

### Others Having Rights In The Invention

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e). (NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to his/her/its status as a small entity.)

Name: Cornell Research Foundation, Inc.  
Address: 20 Thornwood Drive, Suite 105  
Ithaca, New York 14850

☐ Individual    ☐ Small Business Concern    ☒ Nonprofit Organization

Name: GenVec, Inc.  
Address: 65 West Watkins Mill Road  
Gaithersburg, Maryland 20878

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Name of Person Signing:

Paddy Miller PADDY MULLEN  
EXECUTIVE VICE PRESIDENT

Title in Organization:

Address of Person Signing: 535 East 70<sup>th</sup> Street  
New York, New York 10021

Paddy Miller  
Signature

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Date

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**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(d) & 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: GenVec, Inc.  
Address of Concern: 65 West Watkins Mill Road  
Gaithersburg, Maryland 20878

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement: (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: METHOD OF ENHANCING BONE DENSITY, by the inventors Ronald G. Crystal, Chisa Hidaka, Oheneba Boachie-Adjei, Bernard A. Rawlins, and Imre Kovessdi, as described in:

- ☒ The specification filed herewith.  
☐ Application No. , filed .  
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I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Paul H. Fischer  
Title in Organization: President and CEO  
Address of Person Signing: 65 West Watkins Mill Road  
Gaithersburg, MD 20878

Paul H Fischer  
Signature

July 31, 2000  
Date